

RESOLUTION APPROVING ZONING APPLICATION PCN-2014-02026
(CONTROL NOS. 1979-00135 and 1991-00002)
A Public Ownership Zoning District Deviation
APPLICATION OF PALM BEACH COUNTY FACILITIES DEVELOPMENT &
OPERATIONS DEPARTMENT
BY AUDREY WOLF, DIRECTOR
(West County Detention Center HVAC Replacements)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied;

WHEREAS, Zoning Application PCN-2014-02026 was presented to the Board of County Commissioners at a public hearing conducted on October 23, 2014;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various County review agencies;

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 5.A.3.A. for a Public Ownership Zoning District Deviation; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application PCN-2014-02026, the petition of Palm Beach County Facilities Development & Operations Department, by Audrey Wolf, Director, for a Deviation for a development within the Public Ownership Zoning District to allow equipment not to be screened on all sides by an opaque barrier constructed of materials, and color compatible with the building or structure, to a minimum height equal to the highest point of the equipment, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on October 23, 2014 subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof and Deviation request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Burdick moved for the approval of the Resolution.

The motion was seconded by Commissioner Berger and, upon being put to a vote, the vote was as follows:

Commissioner Priscilla A. Taylor, Mayor	-	Aye
Commissioner Paulette Burdick, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Shelley Vana	-	Absent
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on October 23, 2014.

Filed with the Clerk of the Board of County Commissioners on October 24th, 2014

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A BUILDING SITUATED UPON A PARCEL OF LAND IN SECTION 20, TOWNSHIP 43 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

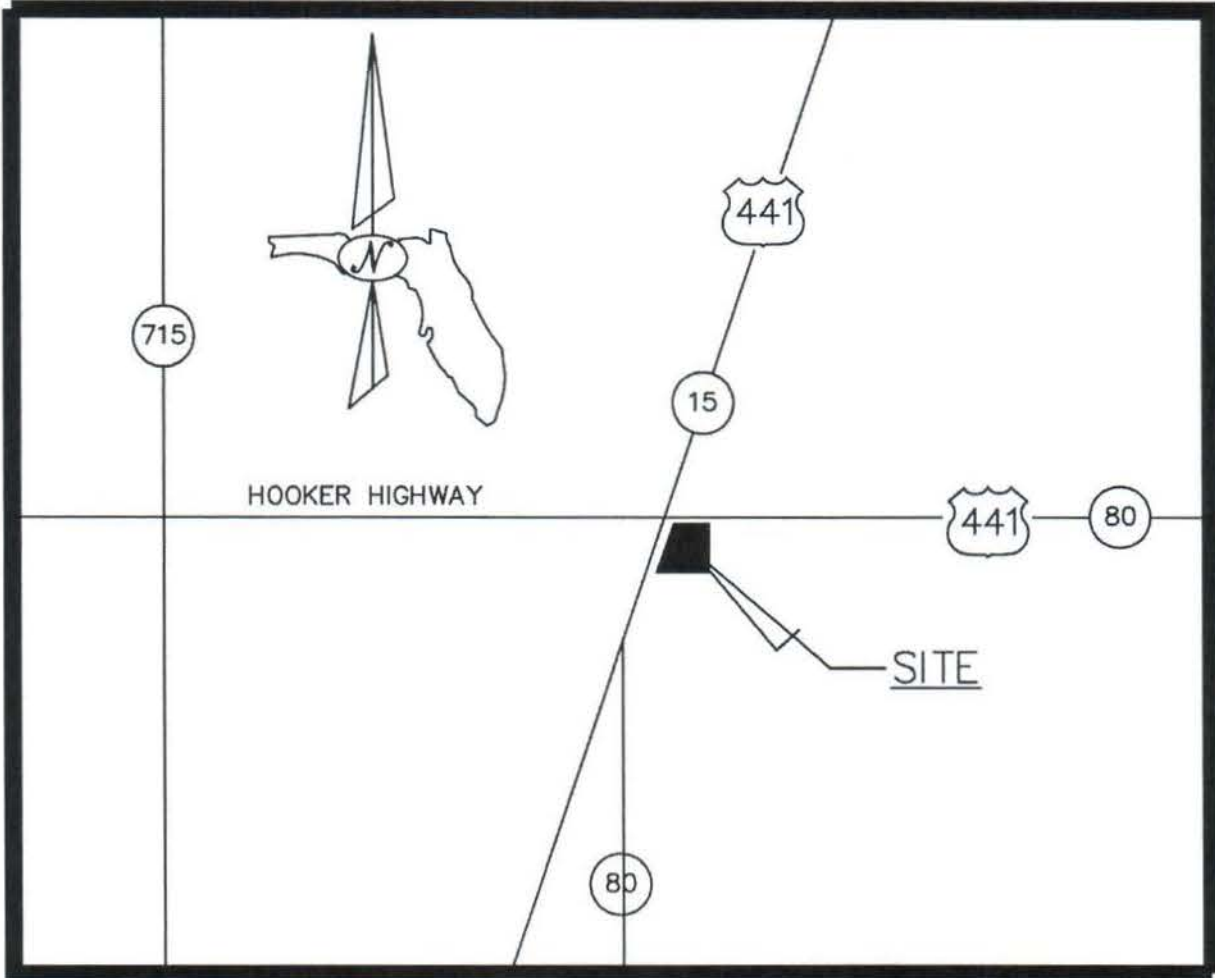
COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 20;
THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20, S00°07'49"E FOR 85.00 FEET TO THE SOUTH LINE OF THE SOUTH FLORIDA CONSERVANCY DISTRICT LATERAL CANAL No.3-2;
THENCE ALONG SAID SOUTH LINE, S89°57'56"E FOR 664.90 FEET TO THE EAST LINE OF THE WEST ONE-QUARTER OF THE SAID NORTHEAST QUARTER OF SECTION 20;
THENCE ALONG SAID EAST LINE, S00°05'41"E FOR 1583.52 FEET TO THE NORTH LINE OF THE SOUTH 970.00 FEET OF THE SAID NORTHEAST QUARTER OF SECTION 20;
THENCE ALONG SAID NORTH LINE, S89°59'09"W FOR 663.84 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;
THENCE ALONG THE NORTH LINE OF THE SOUTH 970.00 FEET OF THE SAID NORTHWEST QUARTER OF SECTION 20, S89°58'58"W FOR 2634.84 FEET TO THE EAST RIGHT-OF-WAY OF STATE ROAD No.15, RECORDED IN OFFICIAL RECORD BOOK 2367, PAGE 1964, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 5669.58 FEET, WHERE A RADIAL LINE BEARS S85°36'31"E;
THENCE NORTHERLY, ALONG SAID CURVE AND RIGHT-OF-WAY TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 12°02'37" FOR 1191.75 FEET TO A POINT OF TANGENCY;
THENCE CONTINUE ALONG SAID RIGHT-OF-WAY, N16°26'06"E FOR 357.27 FEET TO THE RIGHT-OF-WAY OF STATE ROAD No.80, RECORDED IN OFFICIAL RECORD BOOK 2928, PAGE 1715 OF SAID PUBLIC RECORDS;
THENCE ALONG SAID RIGHT-OF-WAY OF STATE ROAD No.80 FOR THE FOLLOWING COURSES:

THENCE N49°07'21"E FOR 112.07 FEET;
THENCE S89°58'17"E FOR 468.74 FEET;
THENCE S00°01'43"W FOR 11.50 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 7961.44 FEET, WHERE A RADIAL LINE BEARS N00°01'43"E;
THENCE EASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 7°18'35" FOR 981.27 FEET TO A POINT OF TANGENCY;
THENCE N82°43'07"E FOR 267.11 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE ALONG SAID NORTH LINE, S89°58'17"E FOR 17.81 FEET;
THENCE S00°07'49"E FOR 85.00 FEET TO THE SAID SOUTH LINE OF THE SOUTH FLORIDA CONSERVANCY DISTRICT LATERAL CANAL No.3-2;
THENCE ALONG SAID SOUTH LINE, S89°58'17"E FOR 500.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 115.62 ACRES, MORE OR LESS

EXHIBIT B
VICINITY SKETCH



VICINITY MAP
N.T.S.

EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

EXHIBIT D

REQUEST

Code Section	Required	Proposed	Deviation
Article 5.B.1.A.19.a.2) (Screening Requirements)	New and replacement equipment, shall be screened on all sides by an opaque barrier constructed of materials, and color compatible with the building or structure, or equivalent landscaping for ground mounted equipment, to a minimum height equal to the highest point of the equipment.	Rooftop equipment not screened by an opaque barrier constructed of materials, and color compatible with the building or structure, to a minimum height equal to the highest point of the equipment.	Rooftop equipment not screened by an opaque barrier constructed of materials, and color compatible with the building or structure, to a minimum height equal to the highest point of the equipment.